

## MINUTES

CASE NUMBER: CIVIL NO. 16-00451LEK-RLP

CASE NAME: Andrew Grant, et al. Vs. Marriott Ownership Resorts Inc., et al.

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

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JUDGE: Leslie E. Kobayashi

REPORTER:

DATE: 11/29/2018

TIME:

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COURT ACTION: EO: COURT ORDER GRANTING PLAINTIFF ROBIN REISINGER'S "MOTION TO EXTEND TIME FOR FILING PLAINTIFF ROBIN REISINGER [DOCS 181-187]" AND DENYING DEFENDANT'S MOTION TO STRIKE LATE FILINGS OF PLAINTIFF ROBIN REISINGER [DOCS 181-187]

On November 21, 2018, Plaintiff Robin Reisinger ("Reisinger") filed: four memoranda in opposition to Defendant Marriott Ownership Resorts, Inc.'s ("MORI") motions in limine; her Proposed Jury Instructions; her Proposed Special Verdict Form; and her Trial Brief (collectively "11/21/18 Filings"). [Dkt. nos. 181-187.] Because the 11/21/18 Filings were submitted after the November 20, 2018 deadline, on November 24, 2018, Reisinger filed a "Motion to Extend Time for Filing Plaintiff Robin Reisinger [Docs 181-187]" ("Reisinger Motion"). [Dkt. no. 191.] On November 26, 2018, Plaintiff Andrew Grant ("Grant") filed a joinder of simple agreement in the Reisinger Motion. [Dkt. no. 193.]

Also before the Court is MORI's motion to strike Reisinger's 11/21/18 Filings ("MORI Motion"), filed November 21, 2018. [Dkt. no. 188.] Reisinger filed a memorandum in opposition to the MORI Motion on November 24, 2018, and Grant filed a joinder in Reisinger's memorandum in opposition on November 26, 2018. [Dkt. nos. 190, 192.]

Reisinger filed the 11/21/18 Filings between 2:34 a.m. and 6:07 a.m. Thus, Reisinger missed the November 20, 2018 deadline by a matter of hours. Reisinger counsel's states that he believed he would be able to file all of Reisinger's trial documents by the end of November 20, 2018, but he was unable to do so because he underestimated the amount of time it would take to file the documents. [Reisinger Motion, Decl. of

Michael P. Healy at ¶ 7.] In addition, this Court finds that neither it nor any of the parties was prejudiced by Reisinger's failure to comply with the November 20, 2018 deadline.

While this Court does not encourage any party or counsel to disregard court deadlines, under the circumstances of this case, this Court concludes that an extension is appropriate. The Reisinger Motion is therefore GRANTED, and the MORI Motion is DENIED. This Court will consider all of Reisinger's 11/21/18 Filings in connection with the trial in this case.

IT IS SO ORDERED.

Submitted by: Warren N. Nakamura, Courtroom Manager